

and 5 p.m., e.d.t., except Federal holidays.

RICHARD T. TEDROW,
Acting Director,
Office of Hearings and Appeals.

JULY 26, 1978.

PROPOSED DECISIONS AND ORDERS

Arizona Fuels Corp., Salt Lake City, Utah,
DXE-1046, crude oil.

Arizona Fuels Corp. filed an application for exception from the provisions of 10 CFR 211.67 (the domestic crude oil entitlements program). The exception request, if granted, would relieve Arizona Fuels of its obligation to purchase entitlements. On July 14, 1978, the DOE issued a proposed decision and order which determined that the exception request be granted in part.

Mapco, Inc., Tulsa, Okla., DEE-0532 Natural gas Liquids.

Mapco, Inc. filed an application for exception from the provisions of 10 CFR, Part 212, Subpart K, in which the firm requested that it be permitted to sell natural gas liquids and natural gas liquid products produced for its benefit from the Tyrone natural gas processing plant, located in Texas County, Okla., at prices in excess of the maximum levels permitted under the provisions of subpart K. On July 14, 1978, the Department of Energy issued a proposed decision and order which determined that the Mapco exception request be granted.

Pennzoil Producing Co., Houston, Tex., DEE-0085, DEE-0086, Crude oil.

Pennzoil Producing Co. filed two applications for exception from the provisions of 10 CFR 212.73. The exception requests, if granted, would permit Pennzoil to sell the crude oil produced from the McGraw sand unit and the Woodruff sand unit located in Yazoo County, Miss., at prices in excess of the maximum permissible levels specified in section 212.73. On July 10, 1978, the DOE issued a proposed decision and order which determined that the exception requests should be granted.

[FR Doc. 78-21804 Filed 8-4-78; 8:45 am]

[6560-01]

ENVIRONMENTAL PROTECTION AGENCY

[FRL 940-3]

RECEIPT OF ENVIRONMENTAL IMPACT STATEMENTS

Pursuant to the President's Reorganization Plan No. 1, the Environmental Protection Agency is the official recipient for environmental impact statements (EIS's) and is required to publish the availability of each EIS received weekly. The following is a list of environmental impact statements received by the Environmental Protection Agency from July 24, 1978 through July 28, 1978. The date of receipt for each statement is noted in the statement summary. Under the Guidelines of the Council on Environmental Quality the minimum period

for public review and comment on draft environmental impact statements is forty-five (45) days; the date of submission of comments is September 18, 1978. The thirty (30) day period for each final statement begins the day the statement is made available to the Environmental Protection Agency and to commenting parties.

Copies of individual statements are available for review from the originating agency. Back copies are also available at 10 cents per page from the Environmental Law Institute, 1346 Connecticut Avenue, Washington, D.C. 20036.

Dated: August 2, 1978.

WILLIAM D. DICKERSON,
Acting Director,
Office of Federal Activities.

DEPARTMENT OF AGRICULTURE

Contact: Mr. Barry Flamm, Coordinator, Environmental Quality Activities, U.S. Department of Agriculture, Room 359A, Washington, D.C. 20250, 202-447-3965.

FOREST SERVICE

Draft

Landownership adjustment proposal, Chugach National Forest, Alaska, July 25: This proposal presents a description of two landownership adjustment proposals made by the Chugach Natives, Inc., and Koniag Inc., that affect the Chugach National Forest. Chugach Natives, Inc., proposes 230,000 to 255,000 acres of the Chugach National Forest in the Prince William Sound area in exchange for its second-round village and its regional lands in the Bremner and Copper River watersheds and on the Kenai Peninsula. Koniag Inc., proposes to acquire the remainder of the national forest land on Afognak Island, which totals approximately 310,000 acres, in exchange for the majority of its village and regional lands on the Alaska Peninsula (USDA-FS-R10-DES(ADM)-7801) (EPA Order No. 80800).

SOIL CONSERVATION SERVICE

Draft

Marshland Watershed Project, Snohomish County, Wash., July 28: This proposal concerns watershed protection and flood prevention in Snohomish County, Wash. The project would finish the remaining works of improvement involving the reconstruction and raising of approximately 2.9 miles of existing levee to provide the same level of protection as is now being provided by the 2 reaches of levee along the Snohomish River. This will require raising the levee in some sections (USDA-SCS-ES-WS(ADM) (EPA Order No. 80814).

Final supplement

Lake Verret Watershed (S-3), Ascension, Assumption, and Iberville Parishes, La., July 26: Proposed is a project for watershed protection, flood prevention, and drainage in Ascension, Assumption, and Iberville Parishes, La. Approximately 168 miles of channel work with appurtenant measures, structures for water control, and measures to minimize adverse effects to fish and wildlife will be installed. There will be a loss of about 29 acres of type 7 wetland due to project channel rights-of-way; channel rights-of-

way required for construction will occupy about 5 acres. Additional effects include the clearing of 1,200 acres of forest land, and a reduction in air quality (USDA-SCS-EIS-WS(ADM)-78-1-(F)-LA) (EIS Order No. 80803).

U.S. ARMY CORPS OF ENGINEERS

Contact: Dr. C. Grant Ash, Office of Environmental Policy, Attn.: DAEN-CWR-P, Office of the Chief of Engineers, U.S. Army Corps of Engineers, 1000 Independence Avenue SW., Washington, D.C. 20314, 202-693-6795.

Draft

Shoreline Development in Pago Pago Harbor, American Samoa, July 28: This proposal concerns a comprehensive evaluation program which will be used by the COE, Honolulu District, in granting, denying, or conditioning permits within Pago Pago Harbor, Tutuila Island, American Samoa. Those types of activities which may require preparation of a separate environmental statement are identified. The development of the comprehensive evaluation program was based on an analysis of the cumulative environmental effects of past construction activities in Pago Pago Harbor (Honolulu District) (EPA Order No. 80817).

Final

Hahn Shopping Center, Corte Madera, Marin County, Calif., July 28: The project involves the filling of 45 acres of grasslands and marsh with 500,000 cubic yards of dry fill, including both fill and surcharge. This acreage in addition to 17 acres of previously filled land is to be used as a site for the Hahn Shopping Center, a regional shopping center situated in the Corte Madera, Marin County. Adverse impacts include a decrease in water quality from project runoff, increases in air and noise pollution, the loss of 45 acres of wildlife habitat, and an increase in local traffic (San Francisco District). Comments made by: EPA, DOT, State and local agencies, groups, individuals, and businesses. (EPA Order No. 80822).

Draft supplement

South fork Zumbro River watershed (S-2), Rochester and Olmsted Counties, Minn., July 24: This statement supplements a final EIS filed in May 1973, concerning flood control of the Zumbro River basin located in Rochester and Olmsted Counties, Minn. The proposed plan is a combination of structural and nonstructural measures proposed by the Corps and Soil Conservation Service (SCS). This statement considers comments and objections to a supplement filed in November 1976. The selected plan includes channel modification, levees, and other features, combined with SCS headwater reservoirs and land treatment measures (Chief of Engineers). (EPA Order No. 80797).

The review period for the following draft supplement has been waived for the 45-day review. The review will terminate on September 7, 1978.

Portsmouth Refinery and Terminal, permit, Virginia, July 28: This proposal concerns the Hampton Roads Energy Co.'s (HERCO) application for COE permit approval to construct an oil refinery complex on the west bank of the Elizabeth River in Portsmouth, Va. This work includes: (1) Construction of a marine terminal, (2) dredging of tanker and barge mooring areas

and access channels, and (3) installation of an oil spill containment system. The purpose of this statement is to consider additional refinery capacity on the eastern seaboard and alternative sites (Norfolk District). (EPA Order No. 80824).

DEPARTMENT OF COMMERCE

Contact: Dr. Sidney R. Galler, Assistant Secretary for Environmental Affairs, Department of Commerce, Washington, D.C. 20230, 202-377-4335.

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

Draft

Proposed Port Fourchon development plan, Lafourche County, La., July 28: The proposed action is approval of a loan offer to the greater Lafourche Port Commission to fund the fourth phase of a multiport facility to accommodate the needs of the fishing/seafood industry, recreation/tourism industry, the offshore oil industry, and the Louisiana Offshore Oil Port, Inc. (LOOP), in Lafourche Parish, La. These actions will include channel dredging, relocation, and maintenance of Belle Pass entrance channel, stone jetty and drainage improvements, dredging and stabilization of a floatation canal, and construction of a bulkhead. (EPA Order No. 80823).

Final

Listing of three sea turtles as threatened species, July 26: Proposed is the listing and protection, by regulation, of the Green Sea Turtle (*Chelonia Mydas*), the Loggerhead Sea Turtle (*Caretta caretta*), and the Pacific Red Sea Turtle (*Lepidochelys olivacea*), as threatened species under the authority of the Endangered Species Act of 1973. The action is designed to prevent further decline in the populations of the three species of sea turtles. The major adverse impact will be a short-term economic impact and will be suffered by those who take, import, export, and trade these species and/or their products. Comments made by: COE, EPA, CEQ, State and local agencies, groups, individuals, and businesses. (EPA Order No. 80804).

Draft supplement

Atlantic Billfish/Shark, Preliminary Management, Florida, July 28: This statement supplements a final EIS filed in January 1978 concerning a preliminary fishery management plan for Atlantic billfishes and sharks, which prohibited the retention of billfishes and other nontarget species taken incidental to directed fisheries for tunas and sharks within the U.S. Fisheries Conservation Zone, and sets shark allocations for foreign nations. The proposed action is to extend into the 1979 fishing season the fishing plan and the implementation of procedures to protect nontarget species in directed foreign shark fisheries by imposing area and gear limitations. (EPA Order No. 80821.)

Proposed NOAA West Regional Center Development, several counties, Washington, July 28: This proposal supplements a final EIS filed in January 1976 concerning the NOAA West Regional Center Development. This statement describes and considers 10 alternative sites on which NOAA proposes to construct about 550,000 square feet of building space, 300,000 square feet of outdoor work space and mooring space for 12

fishery and oceanographic vessels. The purpose of the project is to consolidate the major organizational components of NOAA which are presently located at several sites in and around Seattle. (EPA Order No. 80819.)

ENVIRONMENTAL PROTECTION AGENCY

Contact: Mr. John Hagan, Environmental Protection Agency, Region IV, 345 Courtland Street NE., Atlanta, Ga. 30308, 404-597-7458.

Final

United States Steel Corp., No. 8 Blast Furnace, Permit, Jefferson County, Ala., July 26: The action proposed is the issuance of a NPDES permit to the United States Steel Corp. for the modernization of the steel plant facilities at Fairfield, Jefferson County, Ala. These changes will include the addition of a new blast furnace and auxiliaries, a third Q-BOP furnace, a 57-oven coke battery, 4 additional soaking pits, and the idling of 4 old coke batteries. These changes will replace existing blast furnace operations at the United States Ensley Steel Plant. The blast furnace complex will occupy 13.15 acres of the total 5,000 acres involved in the Fairfield Operations. (EPA/904-9-78-015.) Comments made by: HEW, USDA, HUD, DOI, COE, and State and local agencies. (EPA Order No. 80805.)

DEPARTMENT OF HUD

Contact: Mr. Richard H. Broun, Director, Office of Environmental Quality, Department of Housing and Urban Development, 451 Seventh Street SW., Washington, D.C. 20410, 202-755-6308.

Draft

Austin Lake, Nollwood Development Corp., Permit, Kalamazoo County, Mich., July 28: This proposal considers the issuance of a Federal permit to the Nollwood Development Corp. for land alternatives at Austin Lake, Portage, Kalamazoo County, Mich. The proposed permit application involves the placement of fill sand dredged from a marsh into 2 acres of the same marsh adjacent to Austin Lake, for the purpose of raising low ground areas to a grade suitable for residential construction. Once the 2 acres of marsh are filled, the applicant would develop an additional 8 adjacent acres of uplands into residential homesites. (Detroit District.) (EIS Order No. 80816.)

Glen Iris subdivision, Harris County, Tex., July 27: The proposed action is for HUD to accept for home mortgage insurance the proposed Glen Iris subdivision on 254 acres located in Harris County, Tex. When completed in approximately 6 years the subdivision will contain about 1,280 single-family homes plus some convenience shopping facilities. The applicant is White & White Inc. (HUD-RO6-EIS-78-31D.) (EPA Order No. 80806.)

The notice of availability for the following draft EIS was not published by the EPA. However, the draft EIS was made available to commenting parties on or before April 28, 1978.

Regency Woods, Proposed Master Plan, King County, Wash., July 28: This proposal concerns an application for HUD Home Mortgage Insurance Funds by Ipol, Inc., for the Regency Woods Proposed Subdivision in King County, Wash. Application has been made for preliminary subdivision ap-

proval on, and zone classifications within a 228-acre site, and mortgage insurance for 501 single-family dwellings on 130.40 acres of land. The project will also include approximately 196 rental apartments, 160 condominium units, and 75,000 square feet of retail/service commercial space. (HUD-RIO-EIS-78-D1.) (EPA Order No. 80828.)

Final

The Foothills Development, Tucson, Pima County, Ariz., July 27: Proposed is the granting of HUD/FHA Mortgage Insurance for the Foothills Development, located in Pima County approximately 3.75 miles north of Tucson, Ariz. The project calls for development of a planned residential area contained on 621 acres (594 single-family dwellings and 70 townhouse units) with an estimated ultimate population of 2,300. The development is expected to have some adverse effects on energy consumption, modification of land forms, native plants, animals, and infrastructure. (HUD-RO9-EIS-77-1F.) Comments made by: DOI, USDA, 2 VA, 2 AHP, 2 State and local agencies. (EPA Order No. 80807.)

Lakemeer Subdivision, Tennessee, July 27: Proposed is a residential community on about 667 acres located northeast of Memphis, Tenn. Development plans include single-family, multifamily, and commercial land uses. Focal point of the development will be a 35-acre fishing lake surrounded by single-family lots with a 1.5 acre park to provide fishing and picnic areas. Adverse impacts include no endangered species habitat; noise levels and air quality generally remain within acceptable limits. (HUD-RO4-EIS-77-16F.) Comments made by: HEW, DOI, FERC, USDA, EPA, State and local agencies. (EPA Order No. 80810.)

Walnut Grove Woods, Memphis, Shelby County, Tenn., July 27: Proposed is a subdivision about 900 acres located in east Shelby County, Tenn. along Wolf River east of Memphis city limits. It is proposed to develop the site in single-family, multifamily, commercial, and office uses, in accordance with existing zoning regulations. Adverse impacts include endangered species habitat; increased stormwater runoff, and increased noise levels and air quality. Five families would be displaced. (HUD-RO4-EIS-77-17F.) Comments made by: DOI, HEW, DOC, USDA, State and local agencies. (EPA Order No. 80811.)

Kirby Meadows Subdivision, Shelby County, Tenn., July 27: Proposed is the development of 260 acres in southeast Shelby County, Tenn. into the Kirby Meadows Subdivision. Plan implementation calls for the construction of single-family, multifamily, commercial and office structures for a planned community of approximately 1,700 families. Adverse impacts include an increase in stormwater runoff, the covering of six minor archeological sites; construction-related pollution; and increased levels of air and noise pollution. (HUD-RO4-EIS-77-15F.) Comments made by: GSA, HEW, DOI, USDA, State and local agencies. (EPA Order No. 80812.)

SECTION 104(h)

The following are community development block grant statements prepared and circulated directly by applicants pursuant to section 104(h) of the 1974 Housing and Community Development Act. Copies may be obtained from the office of the appor-

iate local executive. Copies are not available from HUD.

Draft

Corcoran Fringe Wastewater Facilities, Kings County, Calif., July 27: Proposed is the release of Federal funds by HUD for the construction of the Corcoran Fringe Wastewater Facility in Kings County, Calif. Three alternatives are under consideration as follows: (1) Construction of a community collection system and connection to the existing facility; (2) construction of a community collection system and a treatment facility which would be independent of the existing city facility; and (3) rehabilitation of individual disposal systems and implementation of a maintenance district. (No-project.) (EPA Order No. 80809.)

Lafayette Place Urban Development, Boston, Suffolk County, Mass., July 28: The proposed Lafayette place development project represents a public and private investment program in the center of downtown Boston and encompasses a major retail/hotel complex, a new city garage and ancillary public improvements. The project area, extending generally from Washington Street to Chauncy and Essex Streets and from Avon Street to Hayward Place and Exeter Place, encompasses approximately 6 acres or predominantly vacant land, in the city of Boston, Suffolk County, Mass. The program's goal are to rejuvenate the retail area along Washington Street and foster round-the-clock activity in the core of downtown Boston. (HUD (CDBG)-RO1-EIS-78-1D.) (EPA Order No. 80820.)

4447 Duke Street Rehabilitation, Alexandria, Fairfax County, Va., July 28: The proposal is an application for funds to rehabilitate the existing Shirley Duke and Regina Apartments located on Duke Street in Alexandria, Fairfax County, Va. The project activities include the replanning and reconstruction of the interior units to provide 2,113 one and two bedroom units, replacement of roofs and interior utility systems, commercial construction of seven recreational areas, paving of parking areas and minor rehabilitation of the commercial area. (HUD-000-35198-PM-SR.) (EPA Order No. 80813.)

DEPARTMENT OF INTERIOR

Contact: Mr. Bruce Blanchard, Director, Environmental Project Review, Room 4256 Interior Building, Department of the Interior, Washington, D.C. 20240, 202-343-3891.

BUREAU OF LAND MANAGEMENT

Draft

West-Central Colorado Coal Resources Development, several counties, Colorado, July 28: The proposed actions of this statement are the review and consideration for approval of the needed leases and applications associated with six mining and reclamation plans to mine Federal and private coal on existing leases by 1980, 1985, and 1990. The statement contains a two-level analysis of regional impacts associated with the proposed mining and reclamation plans and site-specific analyses of the plans. Two alternatives are considered which include a no-build and an alternative which involves a different rate of production. (USDI-DES-78-28.) (EPA order No. 80818.)

NUCLEAR REGULATORY COMMISSION

Contact: Mr. Voss A. Moore, Assistant Director for Environmental Projects, P-518, Washington, D.C. 20555, 301-492-8446.

Final

Blue Hills Station Units 1 and 2, Newton County, Tex., July 25: The proposed action is the construction by Gulf States Utilities Co. of the Blue Hills Station Units 1 and 2 in eastern Texas. The station will employ 2 pressurized water reactors to produce outputs of approximately 2,814 MWt each. Two steam turbine generators will use the heat produced to provide approximately 957 MWe (gross) each. The action will result in commitment of approximately 123 acres, and may have adverse effects on the red-cockaded woodpecker, and endangered species, site preparation and construction may adversely impact the Mill Creek Watershed. (NUREG-0449.) Comments made by: AHP, USDA, COE, EPA, FPC, HEW, DOI, DOT, State and local agencies. (EPA order No. 80799.)

DEPARTMENT OF TRANSPORTATION

Contact: Mr. Martin Convisser, Director, Office of Environmental Affairs, U.S. Department of Transportation, 400 Seventh Street SW., Washington, D.C. 20590, 202-426-4357.

FEDERAL HIGHWAY ADMINISTRATION

Draft

North Camp Creek Parkway Extension, Fulton and Douglas Counties, Ga., July 27: This proposed action concerns the construction of the North Camp Creek Parkway Extension which will begin at the intersection of Butner Road and the existing Camp Creek Parkway in Fulton County and will extend to Lower River Road in Douglas County, Ga. Features of the project include a four-lane, controlled access parkway extension of approximately 5.7 miles in length. In addition to a no-build alternative, three others are considered. (FHWA-GA-EIS-78-02-D.) (EPA order No. 80808.)

U.S. 2 from Surrey easterly to Rugby, Ward, McHenry, and Pierce Counties, N. Dak., July 24: The proposed project is the construction of a two-lane roadway parallel to the existing roadway on U.S. 2 from Surrey to the Souris River crossing and from Towner to Rugby in Ward, McHenry, and Pierce Counties, N. Dak. The project would provide a four-lane divided highway approximately 46 miles long. The proposed improvement requires purchasing additional right-of-way. The existing roadway will remain in place to serve as part of the four-lane facility. (FHWA-ND-EIS-78-03D.) (EPA order No. 80795.)

Bucklin Hill Area Transportation Improvements, Kitsap County, Wash., July 25: The proposed project is intended to improve the existing Bucklin Hill Road, Kitsap County, Wash. A new or improved transportation facility will connect WA-303 on the east and WA-3 on the west. The purpose of the proposed facility is to relieve the current and projected traffic congestion problems on Bucklin Hill Road and in the city center Silverdale area. In addition to no-build, two alternatives are being considered which consist of upgrading of the existing Bucklin Hill Road or new corridors in the Clear Creek Valley. (Region 10.) (FHWA-WA-EIS-78-03D.) (EPA order No. 80802.)

Final

California 101, Santa Clara County, July 28: Proposed is the improvement of California 101 in Santa Clara County, Calif. The roadway will be an initial six-lane facility running 11.8 miles from Cochran Road in Morgan Hill to Ford Road in San Jose. Seven interchanges are planned. The project will displace seven families and will require 819 acres and land. Construction noise and air pollution and disruption will result. (FHWA-CA-EIS-74-13-F.) Comments made by: DOI, COE, EPA, DOC, HEW, USDA, DOT, State and local agencies, groups, individuals, and businesses. (EPA order No. 80815.)

U.S. 275-U.S. 81, Norfolk, Madison County, Nebr., July 25: The proposed roadway improvement involves the upgrading and reconstruction of a segment of Norfolk Avenue and 13th Street in Norfolk, Nebr. The segment of highway under consideration on Norfolk Avenue begins at 15th Street and extends approximately 0.55 mile easterly terminating immediately east of Ninth Street. The segment of highway on 13th Street begins immediately south of Pasewalk Avenue and extends approximately 0.97 miles to north of Nebraska Avenue. Improvements consists of widening both streets to four lanes with curb medians, sidewalks, intersections, and driveways. (Region 7.) (FHWA-NEBR-EIS-76-09-F.) Comments made by: DOT, USAF, COE, USDA, HUD, DOI, EPA, State and local agencies. (EPA order No. 80798.)

CA 16, Cheney Stadium-Narrows Bridge, Pierce County, Wash., July 24: Proposed is the reconstruction of Bantz Boulevard (CA 16) from the vicinity of Cheney Stadium near Center Street to Sixth Avenue in Tacoma, Wash. The balance of the highway to the Tacoma Narrows Bridge would then be constructed on a route approximately following north Ninth Street. This four-lane facility (ultimately planned as a six-lane freeway) is designed with four interchanges, two grade separations, two bike-pedestrian structures, two frontage roads, a storm sewer system, and a storm water storage basin at China Lake. The project is 3.4 miles in length. Families, businesses, and utilities will be relocated. (Region 10.) (FHWA-WA-EIS-76-03-F.) Comments made by: COE, USDA, HUD, EPA, State and local agencies. (EPA order No. 80796.)

URBAN MASS TRANSPORTATION ADMINISTRATION

Draft

Pittsburgh Light Rail Transit Reconstruction, Allegheny County, Pa., July 25: The proposal of this statement concerns the reconstruction of portions of 22.5 miles of a trolley system currently in operation in the South Hills Corridor, Pittsburgh, Allegheny County, Pa. This project includes complete reconstruction of 10.5 miles of the system including the Mt. Lebanon via Beechview trolley line and a section of the Shannan-Library and Shannan-Drake line south of Castle Shannon, rehabilitation of power and communications systems on the other 12 miles of the system, and construction of a new downtown Pittsburgh Distribution System. (UTMA-PA-03-0012.) (EPA order No. 80801.)

RETRACTION NOTICE

OFFICIAL RETRACTION

The following final EIS was filed with EPA on June 5, 1978 and the availability was published in the FEDERAL REGISTER on

June 16, 1978. It has come to our attention that the EIS distribution was not completed until July 31, 1978. Therefore, the thirty (30) day review period for the final EIS will terminate on August 30, 1978.

Final

Missouri River Erosion (South Dakota, Nebraska, North Dakota, Montana) July 31: The proposed action is to provide stream-bank erosion control at critical erosion problem areas on open reaches of the Missouri River between Fort Peck, Mont. and Sioux City, Iowa. There are currently 52 critical erosion problems in the study area which consists of the states of South Dakota, Nebraska, North Dakota, and Montana. Protection techniques will include flow control structures, van dikes, windrow revetments, artificial hard points, composite bankline revetment, sandfill revetments, and tree re-tards. (Missouri River Division.) (EIS order No. 80806.)

[FR Doc. 78-21884 Filed 8-4-78; 8:45 am]

[6560-01]

[FRL-940-2 OTS-046001]

TSCA SECTION 4 ONCOGENICITY AND CHRONIC TOXICITY TESTING STANDARDS

Public Participation Meeting

AGENCY: Environmental protection Agency (EPA).

ACTION: Notice of public participation meeting.

SUMMARY: EPA will convene a public participation meeting on Tuesday, August 15, 1978, to solicit comments and information from industry, environmentalists, and the public on testing standards for oncogenic and chronic toxic effects and the related quality assurance requirements. The EPA Work Group responsible for developing testing rules under section 4 of the Toxic Substances Control Act will discuss with the public a working draft of the testing standards. The draft will be distributed at the meeting; advance copies are available.

ADDRESS: The meeting hours will be 10 a.m. to 4 p.m. in Room 2117 of the Waterside Mall, EPA, Washington, D.C.

FOR FURTHER INFORMATION AND TO SECURE ADVANCE COPIES OF THE DRAFT CONTACT:

Dr. Carl Morris, Environmental Protection Agency, TS-792, Room 609 East Tower, 401 M Street SW., Washington, D.C. 20460; phone 202-755-4863.

Dated: August 1, 1978.

STEVEN D. JELLINEK,
Assistant Administrator
for Toxic Substances.

[FR Doc. 78-21911 Filed 8-4-78; 8:45 am]

[6712-01]

FEDERAL COMMUNICATIONS COMMISSION

CBEMA AND IBM

Filing of Separate Petitions for Declaratory Ruling Regarding New York Telephone Co.'s Compliance With § 64.702 of the Commission's Rules in Offering Certain Services With the Dimension 2,000 PBX

AUGUST 2, 1978.

The Computer and Business Equipment Manufacturers Association (CBEMA) and International Business Machines Corp. (IBM) filed petitions for declaratory ruling on June 16, 1978 and July 5, 1978, respectively, seeking a Commission determination that the offering in New York State by New York Telephone Co. of certain elements included in Feature Package 9 of its Dimension 2,000 PBX service constitute the offering of data processing services in contravention of section 64.702 (47 CFR § 64.702) of the Commission's Rules.

Comments on the two petitions are due on or before August 31, 1978 and reply comments are due on or before September 15, 1978.

FEDERAL COMMUNICATIONS COMMISSION,
WILLIAM J. TRICARICO,
Secretary.

[FR Doc. 78-21909 Filed 8-4-78; 8:45 am]

[6712-01]

[FCC 78-556]

NEW FINANCIAL QUALIFICATIONS

Standard for Aural Broadcast Applicants

AUGUST 2, 1978.

The Commission has decided to change its current financial qualification standard for those parties applying for new radio broadcast stations and for those assignors and transferees of "bare" radio construction permits. The new standard requires that applicants demonstrate the ability to construct the station and operate the facility for 3 months, without relying upon advertising or other revenue to meet these costs.

In announcing this policy change, the Commission considers its action to be one which will provide a more reasonable and realistic financial qualification standard for all aural applicants and will specifically benefit minority applicants seeking entry into the radio broadcast service. The Commission's decision here is based, in large part, on the finding, in its Minority Ownership Task Force Report, that station financing has been a principal barrier to minority broadcast ownership.

The current financial qualification standard (the ability to meet construction and operating costs for 1 year without revenue), applied to new station applications in all broadcast services, was first announced in *Ultravision Broadcasting Co.*, FCC 65-581, 1 F.C.C. 2d 544 (1965), and the Public Notice (1 F.C.C. 2d 550) which accompanied the decision's adoption. The experience gained over the past 13 years demonstrates that, for radio services, the rationale which once supported this policy no longer is persuasive.

In adopting the "Ultravision test" the Commission established a stringent financial standard aimed at ensuring that successful applicants would possess the means of operating the proposed facility on a continuing basis. It was the Commission's concern that parties with insufficient resources might be unable to sustain operation, thus interrupting service to the public. These failures, the Commission reasoned, might also discourage qualified potential licensees from applying. This policy, insofar as its application to television matters is concerned, has been useful in achieving its stated goal. Insofar as radio services are concerned, however, such an exacting standard does not appear to be required.

We have been unable to conclude that the failure rate of AM and FM radio stations has been substantially affected by *Ultravision*. New radio station success or failure usually is determined by market forces and quality of management, rather than by the liquidity of the licensee. Also, the financial costs of constructing and operating a radio facility usually are far less demanding than those costs associated with television construction and operation. Moreover, the seemingly inexhaustible demand for AM and FM stations appears to negate those fears that qualified applicants might be discouraged by station failures.

It is our conclusion, in modifying the financial qualifications standard for radio services, that a new aural applicant must demonstrate that he has a sufficient capital reserve to cover construction costs and that initial start-up period between inauguration of broadcast service and the point where advertising accounts begin to "pay-off." We believe that a fairly conservative 90-day standard will serve adequately. This standard also applies to those parties seeking to be the transferee or assignee of a construction permit for an unbuilt and nonoperational radio facility. The *Ultravision* standard still will be applied to all television matters.

The new standard—the ability to meet construction costs and operation for 3 months without revenue—will be

applied immediately to all aural new station applications, including pending applications in hearing status.

Action by the Commission July 27, 1978. Commissioners Ferris (Chairman), Lee, Quello, Washburn, Fogarty, White, and Brown.

FEDERAL COMMUNICATIONS
COMMISSION,
WILLIAM J. TRICARICO,
Secretary.

[FR Doc. 78-21910 Filed 8-4-78; 8:45 am]

[6730-01]

FEDERAL MARITIME COMMISSION

[Amendment No. 6 to Commission order No. 1 (Revised)]

ORGANIZATION AND FUNCTIONS OF THE FEDERAL MARITIME COMMISSION

Section 7. Specific Authorities Delegated to the Managing Director

Commission Order No. 1 is hereby amended to add the following new § 7.22, delegating authority to the Managing Director with respect to certain Labor Management Agreements:

§ 7.22. Authority to (1) determine, upon request of a party filing a new collective bargaining agreement between a labor union and a maritime multi-employer bargaining unit, whether the agreement (or any specific provision thereof) is temporarily exempt from the filing and approval requirements of section 15, Shipping Act, 1916, or whether the agreement (or any specific provision thereof) is entitled to interim approval pending subsequent determination by the Commission, and (2) grant such temporary exemption or interim approval for a period not to exceed 100 days from the date of such grant. This authority must be exercised in a manner consistent with the Commission's Interim Policy Statement of June 12, 1978 (46 CFR 530.9), and all other Commission policies which may exist at the time of exercising such authority. The Commission must also be advised monthly of all determinations and grants made pursuant to this authority.

Dated: June 12, 1978.

RICHARD J. DASCHBACH,
Chairman.

[FR Doc. 78-21883 Filed 8-4-78; 8:45 am]

[6730-01]

TAMPA PORT AUTHORITY ET AL.

Agreements Filed

The Federal Maritime Commission hereby gives notice that the following agreements have been filed with the Commission for approval pursuant to section 15 of the Shipping Act, 1916, as amended (39 Stat. 733, 75 Stat. 763, 46 U.S.C. 814).

Interested parties may inspect and obtain a copy of each of the agreements and the justifications offered therefor at the Washington office of

the Federal Maritime Commission, 1100 L Street NW., Room 10218; or may inspect the agreements at the field offices located at New York, N.Y.; New Orleans, La.; San Francisco, Calif.; Chicago, Ill.; and San Juan, P.R. Interested parties may submit comments on each agreement, including requests for hearing, to the Secretary, Federal Maritime Commission, Washington, D.C. 20573, on or before August 28, 1978. Comments should include facts and arguments concerning the approval, modification, or disapproval of the proposed agreement. Comments shall discuss with particularity, allegations that the agreement is unjustly discriminatory or unfair as between carriers, shippers, exporters, importers, or ports, or between exporters from the United States and their foreign competitors, or operates to the detriment of the commerce of the United States, or is contrary to the public interest, or is in violation of the act.

A copy of any comments should also be forwarded to the party filing the agreements and the statement should indicate that this has been done.

Agreement No.: T-2810-1.

Filing Party: Guy N. Verger, Port Director, Tampa Port Authority, 811 Wynkoop Road, P.O. Box 2192, Tampa, Fla. 33601.

Summary: Agreement No. T-2810-1, between the Tampa Port Authority (Port) and Uiterwyk Cold Storage Corp. (Uiterwyk), modifies the basic agreement with Edward-Stephen of Tampa, Inc., subleased to Uiterwyk under FMC Agreement No. T-2811. Agreement No. T-2810 provides for Uiterwyk's lease of land along with preferential berthing rights to an adjacent dock and apron, at the Holland Terminal Area, East Bay, Hookers Point, Tampa, Fla. The purpose of the modification is to provide that the Port shall pave 1.7 acres of land within the leased premises at an estimated cost of \$40,000 plus site preparation costs. Uiterwyk will amortize all costs in connection with said paving over a 10-year period, payable monthly in advance.

Agreement No.: T-3683.

Filing Party: Guy N. Verger, Port Director, Tampa Port Authority, 811 Wynkoop Road, P.O. Box 2192, Tampa, Fla. 33601.

Summary: Agreement No. T-3683, between the Tampa Port Authority (Port) and Southport Stevedores, Inc. (SSI), provides for the Port's 2-year lease (with a renewal option) to SSI of 7.21 acres of bare land, 1,170 feet of dock space and 57,451 square feet of building space at the George B. Howell Maritime Center, Tampa, Fla., to be used by SSI in its operation of an import, export, warehousing, terminal operation, and stevedoring business thereon. As compensation, SSI shall pay the Port \$1,500 per acre for a total of \$10,815 annually net to be applied against a minimum annual financial guarantee of \$130,000 to be met monthly in advance. In addition, SSI shall pay the Port, according to the Port's tariff, all dockage, sheddage, and wharfage fees accruing from SSI's use of the leased premises, said fees to be credited to the minimum annual financial guarantee.

Agreement No.: T-3685.

Filing Party: Richard L. Landes, Deputy, Offices of the City Attorney of Long Beach, City Hall, 333 West Ocean Boulevard, Long Beach, Calif. 90802.

Summary: Agreement No. T-3685, between the City of Long Beach (Port) and Maersk Line Pacific, Ltd., (Maersk), provides for the Port's 3-year (with renewal options) nonexclusive preferential assignment to Maersk of certain premises at Berths 228-229, Pier G, Long Beach, Calif., together with adjacent wharf premises and two 40 Long Ton Paccoco MACH Portainers, all to be used by Maersk for the operation of a marine terminal pursuant to the Port's tariff. As compensation, Maersk shall pay to Port \$78,741.24 per month for the use of Parcel IB, \$15,692.09 per month for the use of Parcel IC and \$13,500 per crane per month, subject to a guaranteed minimum usage of 750 hours per crane per annum, and effective up to a maximum of 900 hours usage per crane per annum. Crane usage in excess of 900 hours per crane per annum shall be subject to a variable cost increase adjustment. Maersk shall assess, bill, collect, and retain all charges accruing in connection with the use of the premises in accordance with the schedule of rates in the Port's tariff; however, in the event tariff charges for dockage, wharfage, wharf storage, and demurrage shall be increased by the Port during the term of this agreement, Maersk shall pay to Port, no sooner than July 1, 1979, 50 percent of the difference between the tariff charges in effect as of the commencement of the term of this agreement and the increased tariff charges thereafter accruing from operations on the assigned premises.

Agreement No.: T-3688.

Filing Party: Mr. D. W. Gwin, L. A. Parish, Inc., 61 Saint Joseph Street, Mobile, Ala. 36601.

Summary: Agreement No. T-3688, between the Lake Providence Port Commission (Port) and Lake Providence Terminal Co., Inc. (LPTC), provides for the Port's 3-year (with renewal options) lease to LPTC of certain premises at Lake Providence, East Carroll Parish, La., to be operated as a marine terminal facility. As compensation, LPTC shall pay Port \$0.10 per ton for bulk cargo handled by LPTC and \$0.18 per ton for general cargo handled by LPTC, subject to a guaranteed minimum rental of \$23,400 for the primary lease term and \$48,000 during any extensions or renewals. In addition, LPTC shall collect and pay to Port the Port's terminal use charge of \$0.10 per ton. LPTC shall publish its own tariff subject to the Port's approval.

Agreement No.: 2846-39.

Filing Party: David C. Jordan, Esq., Billig, Sher & Jones, P.C., Suite 300, 2033 K Street NW., Washington, D.C. 20006.

Summary: Agreement No. 2846-39, among the member lines of the West Coast of Italy, Sicilian and Adriatic Ports/North Atlantic Range Conference (WINAC) modifies the basic agreement to provide that the Conference may agree upon and publish uniform credit rules including rules pertaining to bonding and security requirements and provisions for denying credit.

Agreement No.: 9984-13

Filing Party: Howard A. Levy, Esq., Suite 727, 17 Battery Place, New York, N.Y. 10004.

Summary: Agreement No. 9984-13, among the member lines of the South Atlantic-